

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

|                                |   |                                       |
|--------------------------------|---|---------------------------------------|
| <b>CARL CHESTER, JR.,</b>      | ) | <b>Civil Action No. 7:11-cv-00321</b> |
| <b>Plaintiff,</b>              | ) |                                       |
|                                | ) |                                       |
| <b>v.</b>                      | ) | <b><u>ORDER</u></b>                   |
|                                | ) |                                       |
| <b>UNKNOWN EMPLOYEES OF</b>    | ) |                                       |
| <b>FEDERAL BUREAU OF</b>       | ) |                                       |
| <b>PRISONS, <u>et al.</u>,</b> | ) | <b>By: Hon. Michael F. Urbanski</b>   |
| <b>Defendants.</b>             | ) | <b>United States District Judge</b>   |

In accordance with the memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff is **GRANTED** leave to proceed in forma pauperis; plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1); and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims in a new and separate action at the time of his choice.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to plaintiff.

Entered: July 18, 2011

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge